

In FR Doc. 95-19729, on page 40745, Column 1 in Appendix III to part 1201, item *Atlanta Regional Office* is amended to read as follows:

*Atlanta Regional Office*

Atlanta, Georgia  
Augusta, Georgia  
Macon, Georgia  
Savannah, Georgia  
Birmingham, Alabama  
Huntsville, Alabama  
Mobile, Alabama  
Montgomery, Alabama  
Jacksonville, Florida  
Miami, Florida  
Orlando, Florida  
Pensacola, Florida  
Tallahassee, Florida  
Tampa/St. Petersburg, Florida  
Jackson, Mississippi  
Columbia, South Carolina  
Charleston, South Carolina  
Chattanooga, Tennessee  
Knoxville, Tennessee  
Nashville, Tennessee

Dated: August 21, 1995.

**Robert E. Taylor,**

*Clerk of the Board.*

[FR Doc. 95-21135 Filed 8-24-95; 8:45 am]

BILLING CODE 7400-01-M

## DEPARTMENT OF AGRICULTURE

### Consolidated Farm Service Agency

#### 7 CFR Part 718

#### Commodity Credit Corporation

#### 7 CFR Parts 1413, 1414, 1415, and 1416

RIN 0560-AE29

### 1995 Wheat, Feed Grains, Upland and Extra Long Staple Cotton, and Rice Price Support Programs

**AGENCIES:** Consolidated Farm Service Agency and Commodity Credit Corporation, USDA.

**ACTION:** Interim rule.

**SUMMARY:** This interim rule sets forth amendments to: delete references to obsolete provisions; add references relating to current policy; set forth revisions for the Compliance Program, Acreage Reduction Program, (ARP), Options Pilot Program (OPP), and Voluntary Production Limitation Program (VPLP); and improve the operations of these programs for the 1995 through 1997 crop years.

**DATES:** Interim rule effective August 25, 1995. Comments must be received on or before September 25, 1995 in order to be assured of consideration.

**ADDRESSES:** Submit comments to: Director, Compliance and Production

Adjustment Division, Consolidated Farm Service Agency (CFSA), United States Department of Agriculture (USDA), PO Box 2415, Washington, DC 20013-2415. Comments may be inspected at USDA, CFSA, 14th and Independence Avenue, South Agriculture Building, room 3640, Washington, DC 20013-2415 between 7:30 a.m. and 4:30 p.m., Monday through Friday, except holidays.

**FOR FURTHER INFORMATION CONTACT:** Jack Welch, Chief, Production Adjustment Branch, Cotton, Grain, and Rice Division, CFSA, USDA, PO Box 2415, Washington, DC 20013-2415, telephone 202-720-9884.

#### SUPPLEMENTARY INFORMATION:

##### Executive Order 12866

This rule has been determined to be not significant for purposes of Executive Order 12866 and therefore has not been reviewed by the Office of Management and Budget (OMB).

##### Federal Assistance Programs

The titles and numbers of the Federal Assistance Programs, as found in the Catalog of Federal Domestic Assistance, to which this interim rule applies are Cotton Production Stabilization—10.052; Feed Grain Production Stabilization—10.055; Wheat Production Stabilization—10.058; and Rice Production Stabilization—10.065.

##### Regulatory Flexibility Act

It has been determined that the Regulatory Flexibility Act is not applicable to this interim rule since neither CFSA nor the Commodity Credit Corporation (CCC) is required by 5 U.S.C. 553 or any other provision of the law to publish a notice of proposed rulemaking with respect to the subject matter of this rule.

##### Environmental Evaluation

It has been determined by an environmental evaluation that this action will have no significant impact on the quality of the human environment. Therefore, neither an environmental assessment nor an Environmental Impact Statement is needed.

##### Executive Order 12778

This interim rule has been reviewed in accordance with Executive Order 12778. The provisions of this final rule preempt State laws to the extent such laws are inconsistent with the provisions of this rule. The provisions of this rule are not retroactive. Before any judicial action may be brought concerning the provisions of this rule,

the administrative remedies at 7 CFR part 780 must be exhausted.

##### Executive Order 12372

This program/activity is not subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials. See the Notice related to 7 CFR part 3015, subpart V, published at 48 FR 29115 (June 24, 1983).

##### Paperwork Reduction Act

This interim rule amends the existing information collections as approved by OMB pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.), under OMB control numbers 0560-0004 and 0560-0092. These revised collections have been submitted to OMB for clearance.

##### Background

This interim rule:

- (1) Sets forth policy changes for acreage measurement and tolerance;
- (2) Revises the eligibility provisions in the regulations for enrolling in an ARP to include the requirement for purchasing catastrophic crop insurance;
- (3) Revises the number of States and counties eligible to participate in the OPP; and
- (4) Makes minor editorial changes.

##### Discussion of Changes

*A. 7 CFR part 718, Determination of Acreage and Compliance*

##### *Section 718.3 Definitions*

This section has been amended to delete the reference to administrative variance (AV) applying only to marketing quota crops.

##### *Section 718.21 Measurement Services*

This section has been amended to provide that when a measurement service reveals acreage in excess of the permitted acreage plus available flex acreage with respect to other program crops enrolled in that crop's production adjustment program for that year, in order to keep the measurement service guarantee, the producer must: (1) Destroy the excess acreage and pay for an authorized employee of CFSA to verify destruction; or (2) pay for measurement service for an authorized employee of CFSA to verify destruction of an acreage of another crop on the farm that is enrolled in a production adjustment program equal to the excess acreage.

##### *Section 718.22 Acreage Reports*

This section has been amended to delete the reference that provided

acreage reports were not required for burley tobacco.

#### **Section 718.40 Tolerance and Variance Rules Applicability**

This section has been amended to provide that administrative variance is applicable to all marketing quota crop acreages. Marketing quota crop acreages as determined in accordance with this part shall be deemed in compliance with the effective farm allotment or program requirement when determined acreage does not exceed the effective farm allotment by more than an administrative variance determined as follows:

(1) For all kinds of tobacco subject to marketing quotas, except dark air-cured and fire-cured the larger of 0.1 acre or 2 percent of the allotment.

(2) For dark air-cured and fire-cured tobacco, an acreage based on the effective acreage allotment.

#### **B. 7 CFR Part 1413, Feed Grain, Rice, Upland and Extra Long Staple Cotton, Wheat, and Related Programs**

##### **Section 1413.8 Definitions**

This section has been revised to amend the definition of Industrial and other Crops (IOC's) to add millet.

##### **Section 1413.26 Adjusting Crop Acreage Bases (CAB's)**

This section has been revised to provide that an operator or owner's request for a one-time forfeiture of all or part of a crop's CAB shall be allowed at any time before the end of the signup period. The operator or owner shall specify whether the reduction is for the current or subsequent crop year.

##### **Section 1413.43 Planting Flexibility**

This section has been amended to provide that if spring and fall program crops are double cropped, eligible flex or idle acreage must be present on the farm during the appropriate fall or spring flex dates established by the State CFSA committee.

##### **Section 1413.50 Requirements for Program Participation**

This section has been revised to provide that to be eligible to participate in an ARP, a producer must purchase at least the minimum catastrophic level of crop insurance for each crop of economic significance grown on each farm in the county in which the producer has an interest, if such insurance is available in the county for the crop, in accordance with part 400 of this chapter.

#### **Section 1413.54 Acreage Reduction Program Provisions**

This section has been amended, for 1995 only, to allow producers to plant millet as one of the IOC's permitted on acreage designated as acreage conservation reserve (ACR) or conserving use (CU) for payment.

##### **Section 1413.61 Eligible Land for ACR and CU for Payment Designation**

This section has been revised to provide that the Deputy Administrator, Farm Programs, may grant an exception to the minimum size and width requirements to allow producers to designate small areas of at least .1 (one-tenth) of an acre as ACR or CU for payment if the farm has been affected by excessive rainfall or flooding and if all other eligibility requirements are met.

##### **Section 1413.64 Nationally Approved Cover Crops and Practices for ACR and CU for Payment Acreages**

This section has been revised to remove the exclusion of popcorn as an approved cover crop. Popcorn is an eligible cover crop on ACR and CU for payment. The section has also been revised to remove the program year designation for IOC's planted on ACR.

##### **Section 1413.65 Locally Approved Cover Crops and Practices for ACR and CU for Payment**

This section has been amended to change the specified year for the programs.

#### **C. 7 CFR Part 1414—Integrated Farm Management Program Option**

##### **Section 1414.27 Resource-Conserving Crops on ACR**

This section has been amended to remove the provision that barley, oats, and wheat may not be hayed or grazed after the small grain is harvested from the acreage.

##### **Section 1414.30 Traditionally Underplanted Acreage and Reduction of Payment Acres**

This section has been amended to provide that traditionally underplanted acreage means 8 through 15 percent, as applicable, of the producer's permitted acreage for such year.

##### **D. 7 CFR Part 1415, Options Pilot Program**

##### **Section 1415.9 Definitions**

The definition of "agreement" has been revised to delete the year.

##### **Section 1415.13 Eligibility**

This section has been revised to change the program year; to add another

county each in Kansas and North Dakota; to add three counties for corn and soft red winter wheat in Ohio, and to add three counties for corn, soybeans, and hard red winter wheat in Nebraska.

##### **Section 1415.15 Agreements**

This section has been amended to revise the year for purchasing target price and loan rate put option contracts.

##### **Section 1415.20 Premium and Incentive Payments**

This section has been amended to revise the year in reference to the acreage reduction program.

#### **E. 7 CFR Part 1416, Voluntary Production Limitation Program**

##### **Section 1416.100 Eligible VPLP Counties**

This section has been amended to change the effective year for VPLP.

##### **Section 1416.101 Basic Program Provisions**

This section has been amended to:

- (i) Revise the reference to the signup period for the ARP for enrollment into VPLP, and
- (ii) Require that producers must purchase at least the minimum catastrophic level of crop insurance for crops grown in the county in order to participate in VPLP, according to part 400 of this chapter.

##### **Section 1416.103 Production Evidence for Actual Yields**

This section has been amended to provide that producers with an interest in enrolled crops on more than one farm shall certify the production from any farm not enrolled in VPLP and may be subject to a spot check for such certifications.

##### **Section 1416.400 Program Payments and Price Support Loans and Loan Deficiency Payments**

This section has been amended to provide that producers of enrolled CAB's shall be eligible to earn deficiency payments on the lesser of the planted acres or the maximum payment acreage of such CAB's including CAB's planted to an enrolled wheat or feed grain crop different from the crop to which the CAB is assigned.

#### **List of Subjects**

##### **7 CFR part 718**

Acreage allotments, Marketing quotas, Reporting and recordkeeping requirements.

##### **7 CFR parts 1413 and 1414**

Acreage allotments, Cotton, Disaster assistance, Feed grains, Price support

programs, Reporting and recordkeeping requirements, Rice, Soil conservation, wheat.

#### 7 CFR part 1415

Options pilot program.

#### 7 CFR Part 1416

Voluntary production limitation program.

Accordingly, chapters VII and XIV of the Code of Federal Regulations are amended as follows:

### PART 718—DETERMINATION OF ACREAGE AND COMPLIANCE

1. The authority citation for 7 CFR part 718 continues to read as follows:

**Authority:** 7 U.S.C. 1373 and 1374; 15 U.S.C. 714b and 714c.

2. Section 718.3(b) is amended by revising the definition of administrative variance to read as follows:

#### § 718.3 Definitions.

\* \* \* \* \*

(b) \* \* \*

\* \* \* \* \*

*Administrative variance (AV).* The amount by which the determined acreage may exceed the effective allotment and be considered in compliance with program regulations.

\* \* \* \* \*

3. Section 718.21 is amended by revising paragraph (e) to read as follows:

#### § 718.21 Measurement Services.

\* \* \* \* \*

(e) When a measurement service reveals acreage in excess of the permitted acreage plus available flex acreage with respect to other program crops enrolled in that crop's production adjustment program for that year by more than the allowable tolerance, the producer must do either of the following in order to keep the measurement service guarantee:

#### § 718.22 [Amended]

4. Section 718.22 is amended by removing paragraph (d) and redesignating paragraphs (e), (f), and (g) as paragraphs (d), (e), and (f).

5. Section 718.40 is amended by removing paragraphs (a)(1), (b)(3), and (c)(1), redesignating paragraphs (a)(2) as (a)(1), (b)(4) as (b)(3), respectively, and revising paragraph (c) introductory text, (c)(1) and (c)(2), introductory text, to read as follows:

#### § 718.40 Tolerance and variance rules applicability.

(a) \* \* \*

(b) \* \* \*

(c) Administrative variance is applicable to all marketing quota crop

acres. Marketing quota crop acres as determined in accordance with this part shall be deemed in compliance with the effective farm allotment or program requirement when determined acreage does not exceed the effective farm allotment by more than an administrative variance determined as follows:

(1) For all kinds of tobacco subject to marketing quotas, except dark air-cured and fire-cured the larger of 0.1 acre or 2 percent of the allotment.

(2) For dark air-cured and fire-cured tobacco, an acreage based on the effective acreage allotment as provided in the table as follows:

\* \* \* \* \*

### PART 1413—FEED GRAIN, RICE, UPLAND AND EXTRA LONG STAPLE COTTON, WHEAT AND RELATED PROGRAMS

6. The authority citation for part 1413 continues to read as follows:

**Authority:** 7 U.S.C. 1308, 1308a, 1309, 1441–2, 1444–2, 1444f, 1445b–3a, 1461–1469; 15 U.S.C. 714b and 714c.

7. Section 1413.8 is amended by revising the definition of industrial and other crops to read as follows:

#### § 1413.8 Definitions.

\* \* \* \* \*

Industrial and other crops (IOC's) are: castor beans, chia, crambe, crotalaria, cuphea, guar, guayule, hesperaloe, kenaf, lesquerella, meadowfoam, milkweed, millet, plantago ovato, and sesame, or other crops as designated by the Secretary. Individual State CFSA committees may remove individual crops of IOC's from the list permitted in such State.

\* \* \* \* \*

8. Section 1413.26 is amended by revising paragraph (a)(1) to read as follows:

#### § 1413.26 Adjusting CAB's.

(a)(1) A one-time forfeiture of all or a portion of a farm's CAB shall be allowed at the request of the owner and operator if the request for the permanent base reduction is filed not later than the end of the ARP signup period. Producers requesting such forfeiture shall designate whether the reduction shall apply for the current year or the subsequent year.

\* \* \* \* \*

9. Section 1413.43 is amended by revising subparagraph (h)(1) to read as follows:

#### § 1413.43 Planting flexibility.

\* \* \* \* \*

(h)(1) Acreages that are flexed according to this section may be double cropped in accordance with § 1413.24(e). State committees will establish beginning and ending flex dates for spring and fall program crops. If such acreages are double cropped, eligible flex acreage or idle acreage must be present on the farm during the appropriate fall or spring flex dates established by the State committee.

\* \* \* \* \*

10. In § 1413.50 paragraphs (a) through (c) are redesignated as paragraphs (b) through (d), and a new paragraph (a) is added to read as follows:

#### § 1413.50 Requirements for program participation.

(a) With respect to a crop for which an ARP is announced, to be eligible for deficiency payments and price support loans and purchases, a producer, in accordance with part 400 of this chapter, must obtain at least the minimum catastrophic level of insurance for each crop of economic significance grown on each farm in the county in which the producer has an interest, if such insurance is available in the county for the crop.

\* \* \* \* \*

11. Section 1413.54 is amended by revising paragraphs (c)(1) and (4) to read as follows:

#### § 1413.54 Acreage Reduction Program provisions.

\* \* \* \* \*

(c)(1) (i) Acreage designated as ACR under the 1991, 1992, and 1993 wheat, feed grain, upland cotton, and rice programs may not be devoted to other program crops and must be devoted to approved uses as otherwise provided in this part.

(ii) Acreage designated as ACR under the 1991, 1992, and 1993 wheat, feed grain, upland cotton, and rice programs may not be devoted to industrial and experimental crops.

(iii) Acreage designated as ACR under the 1994 wheat, feed grain, upland cotton, and rice programs may be devoted to castor beans, chia, crambe, crotalaria, cuphea, guar, guayule, hesperaloe, Kenaf, lesquerella, meadowfoam, milkweed, plantago ovato, and sesame.

(iv) Acreage designated as ACR under the 1995 wheat, feed grain, upland cotton, and rice programs may be devoted to castor beans, chia, crambe, crotalaria, cuphea, guar, guayule, hesperaloe, kenaf, lesquerella, meadowfoam, milkweed, millet, plantago avato, and sesame. The State CFSA committee may, prior to signup,

remove individual crops from the list permitted in their State.

\* \* \* \* \*

(4) (i) Acreage designated as CU for payment acreage under the "0/92" and "50/92" provisions of the 1992 and 1993 wheat, feed grain, upland cotton, and rice programs as provided in §§ 1413.41 and 1413.42 may not be planted to industrial, experimental, or other crops except as provided in paragraph (c)(2) of this section.

(ii) Acreage designated as CU for payment acreage under the "0/85" and "50/85" provisions of the 1994 wheat, feed grain, upland cotton, and rice programs as provided in §§ 1413.41 and 1413.42 may plant castor beans, chia, crotalaria, cuphea, guar, guayule, hesperaloe, kenaf, lesquerella, meadowfoam, milkweed, plantago ovato, and other crops as provided in paragraph (c)(2) of this section.

(iii) Acreage designated as CU for payment under the "0/85" and "50/85" provisions of the 1995 wheat, feed grain, upland cotton, and rice programs as provided in §§ 1413.41 and 1413.42 may plant castor beans, chia, crotalaria, cuphea, guar, guayule, hesperaloe, kenaf, lesquerella, meadowfoam, milkweed, millet, plantago ovato, and other crops as provided in paragraph (c)(2) of this section. The State CFSA committee may, prior to program signup, remove individual crops from the list permitted in their State.

\* \* \* \* \*

12. Section 1413.61 is amended by adding a new paragraph (a)(5) to read as follows:

**§ 1413.61 Eligible land for ACR and CU for payment designation.**

(a) \* \* \*

(5) Because of excessive rainfall and flooding, the Deputy Administrator, Farm Programs, may authorize an exception to the minimum size and width provisions as provided in paragraph (b)(1)(i) of this section, if such exception is requested by the CFSA State executive director. If an exception is authorized, producers may designate as ACR or CU for payment small areas of at least .1 (one-tenth) an acre in size, if all other eligibility requirements are met, and because of excessive rainfall and flooding, either of the following applies:

(i) Such producers have an approved ASCS-574, Application for Disaster Credit, on file in the county CFSA office, for prevented planting or failed acreage of the crop; or

(ii) The county committee determines, on a farm-by-farm basis, that the

producers on the farm were forced to change planting patterns.

\* \* \* \* \*

13. Section 1413.64 is amended by revising paragraphs (a), introductory text, (a)(1) and (d) to read as follows:

**§ 1413.64 Nationally approved cover crops and practices for ACR and CU for payment acreages.**

(a) All ACR acreage that is required to have a cover crop established must have a nationally approved cover practice installed. The following are nationally approved cover crops and practices for ACR and CU for payment acreage:

(1) Annual, biennial, or perennial grasses and legumes, including sweet sorghums, sorghum grass crosses, and sudans, excluding soybeans, corn, sweet corn, grain sorghum, cotton, fruits, and vegetables.

\* \* \* \* \*

(d) Acreage designated as ACR or CU for payment under the 1995 wheat, feed grain, upland cotton, and rice programs may be planted to IOC's.

14. Section 1413.65 is amended by revising the introductory text of paragraph (g) to read as follows:

**§ 1413.65 Locally approved cover crops and practices for ACR and CU for payment acreages.**

\* \* \* \* \*

(g) With respect to upland cotton CAB's enrolled in any of the 1995 through 1997 ARP's, the production of black-eyed peas shall be allowed on up to 50 percent of the required ACR and CU for payment acreage, subject to the following restrictions:

\* \* \* \* \*

**PART 1414—INTEGRATED FARM MANAGEMENT PROGRAM OPTION**

15. The authority citation for Part 1414 continues to read as follows:

**Authority:** 7 U.S.C. 5822.

16. Section 1414.28(a) is revised to read as follows:

**§ 1414.28 Resource-Conserving Crops on payment acres.**

(a) Program payments with respect to acreage enrolled in the program shall not be paid to a producer if such producer hays or grazes such acreage (excluding acreage designated as ACR) during the 5-month period in which haying and grazing of conserving use acres is not allowed under the provisions of § 1413.66 of this chapter, unless the crop planted on such acreage includes a small grain and the producer harvests the small grain crop in kernel form.

\* \* \* \* \*

17. Section 1414.30(b)(1)(i)(C) is revised to read as follows:

**§ 1414.30 Traditionally underplanted acreage and reduction of payment acres.**

\* \* \* \* \*

(b)(1)(i) \* \* \*

(C) For participating crops, the part of the CAB subject to the required ACR. If the producer is using the provisions set forth in §§ 1413.41 or 1413.42 of this chapter, traditionally underplanted acreage means 8 through 15 percent, as applicable, of the producer's permitted acreage for such year.

\* \* \* \* \*

**PART 1415—OPTIONS PILOT PROGRAM**

18. The authority citation for Part 1415 continues to read as follows:

**Authority:** 7 U.S.C. 1421 note; 15 U.S.C. 714b and 714c.

19. Section 1415.9 is amended to revise the definitions of "Agreement" and "Program" to read as follows:

**§ 1415.9 Definitions.**

\* \* \* \* \*

*Agreement* means form CCC-300, Options Program Agreement.

\* \* \* \* \*

*Program* means the Options Pilot Program.

\* \* \* \* \*

20. Section 1415.13 is amended by revising paragraph (a)(1) (i) through (iii) and by adding (a)(1)(iv) and (a)(1)(v) to read as follows:

**§ 1415.13 Eligibility.**

(a)(1) \* \* \*

(i) 1995 corn and soybeans in Champaign, Logan, and Shelby Counties in Illinois, and Buffalo, Hamilton, and Nemaha counties in Nebraska;

(ii) 1995 corn in Carroll, Clinton, and Tippecanoe Counties in Illinois, Boone, Grundy, and Hardin Counties in Iowa, and Auglaize, Darke, and Wood Counties in Ohio.

(iii) 1995 hard red winter wheat in Ford, Sumner, and Thomas Counties in Kansas, and Buffalo, Hamilton, and Nemaha Counties in Nebraska,

(iv) 1995 hard red spring wheat in Barnes, Cass, and Grand Forks Counties in North Dakota, and

(v) 1995 soft red winter wheat in Auglaize, Darke, and Wood counties in Ohio.

\* \* \* \* \*

21. Section 1415.15 is amended by revising paragraphs (b)(1)(ii), (2)(i) through (2)(v), (e), the first sentence of paragraph (f) and paragraph (h) to read as follows:

**§ 1415.15 Agreements.**

\* \* \* \* \*

(b) \* \* \*

(1) (i) \* \* \*

(ii) For the target price equivalent strike price level for corn, purchase at least one December 1995 CBOT put option on or before June 15, 1995; for wheat in Kansas and Nebraska, purchase at least one September 1995 KCBOT put option on or before May 15, 1995; for wheat in North Dakota, purchase at least one September 1995, MGE put option on or before May 15, 1995; and for wheat in Ohio, purchase at least one September 1995 CBOT put option on or before May 15, 1995. \* \* \*

(2) (i) For price support participation, purchase at least one March 1996 CBOT put option at a strike price equivalent to the county price support price for corn;

(ii) For soybeans, purchase at least one March 1996 CBOT put option contract at a strike price equivalent to the county soybean price support price;

(iii) For wheat producers in Kansas and Nebraska, purchase at least one December 1995 KCBOT put option at a strike price equivalent to the county price support price for wheat;

(iv) For wheat producers in North Dakota, purchase at least one December 1995 MGE put option at a strike price equivalent to the county price support price for wheat;

(v) For wheat producers in Ohio, purchase at least one December 1995 CBOT put option at a strike price equivalent to the county price support price for wheat;

\* \* \* \* \*

(e) A producer must have a corn or wheat, respectively, crop acreage base in order to participate in the program at the target price strike price level for corn or wheat. However, a producer planting corn on a farm with a grain sorghum crop acreage base, who reports that such acreage is corn for purposes of participating in the acreage reduction program for grain sorghum, may participate in the Options Program at the price support strike price level for corn.

(f) With respect to each producer, the maximum quantity eligible for target price put options is limited to the quantity determined by multiplying the participant's production adjustment payment acreage times the crop payment yield. \* \* \*

(g) \* \* \*

(h) If a producer enrolled in the program is not in compliance with the provisions of the production adjustment program for wheat or corn, as applicable, the producer will be required to repay any premiums and

incentive payments made, in addition to any interest determined in accordance with the provisions of such program agreement.

22. Section 1415.20 is amended by revising paragraphs (f) and (g) to read as follows:

**1415.20 Premium and incentive payments.**

\* \* \* \* \*

(f) CCC will collect the excess premium issued at the time the actual payment acreage is reported by the producer, and no incentive payment will be issued with respect to the overstated acreage if, for target price participation, the acreage enrolled in the production adjustment program which is used in determining deficiency payments is less than the intended payment acreage specified in the agreement. However, the producer will be allowed to keep the put option with respect to the additional bushels.

(g) The producer will not be allowed to increase the quantity of the commodity enrolled in the program if, for target price participation, the acreage enrolled in the production adjustment program, which is used in determining deficiency payments, is more than the intended payment acreage specified in the agreement.

\* \* \* \* \*

**PART 1416—VOLUNTARY PRODUCTION LIMITATION PROGRAM**

23. The authority citation for Part 1416 continues to read as follows:

**Authority:** 7 U.S.C. 1444f, 1445b-3a, 15 U.S.C. 714b and 714c.

24. Section 1416.100(a) is amended by revising the introductory text to read as follows:

**§ 1416.100 Eligible VPLP Counties.**

(a) The VPLP shall be effective for the 1995 crops of wheat and feed grains in:

\* \* \* \* \*

25. Section 1416.101 is amended by revising paragraph (a) to read as follows:

**§ 1416.101 Basic program provisions.**

(a)(1) The enrollment period for this program will coincide with the period established for the Acreage Reduction Program (ARP) signup, which will be January 30 through May 31, 1995.

(2) In order to participate in VPLP, a producer must purchase at least the minimum catastrophic level of crop insurance, according to part 400 of this chapter, for each crop of economic significance grown on each farm in the county in which the producer has an interest, if such insurance is available in the county for the crop.

\* \* \* \* \*

26. Section 1416.103 is amended by revising paragraphs (b) and (e) to read as follows:

**§ 1416.103 Production evidence for actual yields.**

\* \* \* \* \*

(b) Producers with an interest in enrolled crops on more than one farm shall certify the production from any farm not enrolled in VPLP and may be subject to a spotcheck for such certifications. \* \* \*

(e) (1) Documents showing the amount of production shall be reviewed to determine moisture content and dockage associated with the production. If the document does not show that the production has been reduced to standard moisture levels and shows:

(i) Specific moisture that is greater than standard;

(ii) Dockage; or

(iii) Both excess moisture and dockage, the net amount shall be adjusted on standard moisture levels and applicable dockage standards as determined by CCC.

(2) [Reserved]

\* \* \* \* \*

27. Section 1416.400 is amended by revising paragraph (b) to read as follows:

**§ 1416.400 Program payments and price support loans and loan deficiency payments.**

\* \* \* \* \*

(b) Producers of enrolled CAB's shall be eligible to earn deficiency payments on the number of acres planted to such CAB's or the maximum payment acres for the CAB's including CAB's planted to an enrolled wheat or feed grain crop different from the CAB assigned to the crop.

Signed at Washington, DC, on August 16, 1995.

**Bruce R. Weber,**

*Acting Administrator, Consolidated Farm Service Agency and Acting Executive Vice President, Commodity Credit Corporation.*

[FR Doc. 95-20782 Filed 8-24-95; 8:45 am]

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